

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jeffrey D. Messerly

PECEIVED

Serial No.: 10/047,601

Art Unit: 3737

MAR 1 9 2004

Filed

: January 14, 2002

TECHNOLOGY CENTER R3700 Examiner: William C. Jung

For

: BLADES WITH FUNCTIONAL BALANCE ASYMMETRIES FOR USE

WITH ULTRASONIC SURGICAL INSTRUMENTS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on

March 2004

Linda F. Hansen

(Name of applicant, person signing, assignee, or Registered Representative)

March // 2004

(Date of Signature)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on May 8, 2002.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information

 \boxtimes

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with [] the first or Second After Final Submission, therefore: Statement in Accordance with §1.97(e) \Box (attached); or \Box Please charge Deposit Account No. 10-0750/ the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

		Statement in Accordance with §1.97(e)
		(attached); or
		Please charge Deposit Account No. 10-
		0750/ / the fee of $$180.00$ as set forth
		in §1.17(p).
	In a	ccordance with §1.97(d), this Information
Disclosure	e Stat	tement is being filed after the mailing date of
either a 1	Final	Action under §1.113 or a Notice of Allowance
under §1	.311 k	out before the payment of the Issue Fee.
Applicant	(s) he	ereby petition(s) for consideration of this
Information	on Dis	sclosure Statement. Included are: Statement in
Accordance	e with	1 §1.97(e) as set forth below and the fee of
\$180.00 as	s set	forth in §1.17(p).
_		
		es of each of the references listed on the
attached I	Form F	PTO-1449 are enclosed herewith.
	Copie	es of references listed on the attached Form PTO
1449 are e		sed herewith EXCEPT THAT:
	П	In view of the voluminous nature of references
	السسا	[list as appropriate], and the likelihood that
		these references are available to the Examiner,
		copies are not enclosed herewith.
		ospido die nee eneropea nerewien.
	П	If any of the foregoing publications are not
	_	available to the Examiner, Applicant will
		endeavor to supply copies at the Examiner's
		request.
		-
\boxtimes	There	e are no listed references which are not in the

English language.

☐ The relevance of those listed references which are
not in the English language is as follows:
Attached are copies of search report(s) from
corresponding patent application(s), which are listed on the
attached Submission Under MPEP 609 D.
Copies of the references listed on the search
report(s) are included except for those previously cited in an
IDS mailed .
Attached are the following non-published pending
patent applications which may be deemed relevant, which are
listed on the attached Submission Under MPEP 609 D.
Please charge any deficiency or credit any overpayment to
Deposit Account No. 10-0750/END-810/VEK.
Respectfully submitted,
1/2 0 is 0
Oline C. Breeze J.
Verne E. Kreger, Jr.// 35,231
Attorney for Applicants
Johnson & Johnson One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(513) 337-3295
DATED: March /O, 2004

•



TECHNOLOGY CENTER R3700

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE to a collection of information unless it displays a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displ

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 1of 5

y a collection of information unless it displays a	a conection of information diffess it displays a valid of the control further.				
Application Number	10/047,601				
Filing Date	January 14, 2002				
First Named Inventor	Jeffrey D. Messerly				
Group Art Unit	3737				
Examiner Name	William C. Jung				
Attorney Docket Number	END-810				

				U.S. PATENT DOCUMENTS		
Examiner Initials	Cit e No	U.S. Patent Docum	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		2,990,616		Balamuth et al.	7/4/1961	ALL
		3,053,124		Balamuth et al.	11/161959	ALL
		3,433,226		Boyd	3/18/1969	ALL
		3,526,219		Balamuth	09/1/1970	ALL
		3,830,240		Anteonevich et al.	8/20/1974	ALL
		3,861,391		Anteonevich et al	1/21/1975	ALL
		3,990,452		Murry et akl.	11/9/1976	ALL
		4,136,700		Broadwin et al.	1/30/1979	ALL
		4,169,984		Parisi	10/2/1979	ALL
		4,526,571		Wukchinich	7/2/1985	ALL
		4,634,419		Kriezman et al.	1/6/7987	ALL
		4,911,161		Schnecter	3/27/1990	ALL
		4,920,954		Alliger et al.	5/1/1990	ALL
		4,974,581		Wiksell	12/4/1990	ALL
		4,992,048		Goof	2/12/1991	ALL
		5,019,083		Klapper e al.	5/28/1991	ALL
		5,047,008		De Juan, Jr. et al.	9/10/1991	ALL
		5,047,043		Kubota et al.	9/10/1991	ALL
	1					ALL

Examiner		Date	
Signature		Considered	
*EYAMINED:	Initial if reference considered whether or and	italian in in conformation . W. MADED COO. D F H L W M	

AMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. s Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.



PECEIVED

MAR 1 9 2004

TECHNOLOGY CENTER R3700

PTO/SB/08A (08-00) Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork
Substitute for form 1449A/PTO Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 2 of 5

	a concentration and a displaye a	Taile Gille Golden Trailer
	Application Number	10/047,601
1	Filing Date	January 14, 2002
	First Named Inventor	Jeffrey D. Messerly
	Group Art Unit	3737
	Examiner Name	William C. Jung
	Attorney Docket Number	END-810
		1

U.S. PATENT DOCUMENTS

	U.S. Patent Document					
Examiner Initials	Cit e No	Kind Code ² Number (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		5,057,119		Clark et al.	10/15/1991	ALL
		5,059,210		Clark et al.	10/22/1991	ALL
·		5,180,363		Idemoto et al.	1/19/1993	ALL
		5,188,102		Idemoto et al.	2/23/1993	ALL
		5,205,817		Idemoto et al.	4/27/1993	ALL
		5,221,282		Wuchchinich	6/22/1993	ALL
		5,222,937		Kagawa	6/29/1993	ALL
		5,248,296		Alliger	9/28/1993	ALL
		5,312,329		Beaty et al.	5/17/1994	ALL
		5,318,570		Hood et al.	6/7/1994	ALL
		5,324,297		Hood et al.	6/28/1994	ALL
		5,324,299		Davison et al.	6/28/1994	ALL
		5,397,293		Alliger et al.	3/14/1995	ALL
		5,413,578		Zahedi	5/9/1995	ALL
		5,417,654		Kelman	5/23/1995	ALL
		5,449,370		Vaitekunas	9/12/95	ALL
		5,480,379		LaRosa	1/2/1996	ALL
						ALL

Examiner	Date	
Signature	 Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Commissioner for Patents, P.O. Box 1450, Alexandria, VA

¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. s Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.



MAR 1 9 2004

TIVED

TECHNOLOGY CENTER R3700

PTO/SB/08A (08-00) I CUHNOLOGY CENTER R3700

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

_	a concessor of memater encock dioplays a rain only control number.					
	Application Number	10/047,601				
	Filing Date	January 14, 2002				
	First Named Inventor	Jeffrey D. Messerly				
	Group Art Unit	3737				
	Examiner Name	William C. Jung				
1	Attorney Docket Number	END-810				

Sheet 3 of 5			Attorney Docket Number	END-810	
			U.S. PATENT DOCU	MENTS	
Examiner Initials			Name of Patentee of Cited Docur	of Cited Decum	
		5,531,597	Foulkes et al	7/2/1996	ALL
		5,630,420	Vaitekunas	5/20/1997	ALL
		5,653,724	Imonti	8/5/1997	ALL
		5,669,922	Hood	9/23/1997	ALL
		5,676,649	Boukhny et al.	10/14/1997	ALL
		5,776,155	Beaupre et al.	7/7/1998	ALL
		5,873,873	Smith et al.	2/23/1999	ALL
		5,935,144	Estabrook	8/10/1999	ALL
		5,938,633	Beaupre	8/17/1999	ALL
		5,944,737	Tsonton et al.	8/31/99	ALL
		6,024,750	Mastri et al.	8/14/1997	ALL
		6,063,050	Manna et al.	5/16/2000	ALL
		D 339,415	Hood et al.	9/14/1993	ALL
-		D 344,799	Hood et al.	3/1/1994	ALL
		D 345,794	Hood et al.	4/5/1993	ALL
					ALL
j			1	ļ	ALL

Examiner	Date	
Signature	 Considered	*

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. s Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if

possible. 6 Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



RECEIVED

MAR 1 9 2004

PTO/SB/08A (08-00) Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Foreign Patent Document

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 4 of 5

The Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.					
n 1449A/PTO Service Paperwork Redupted Art, 91 995, no persons are required to respond to 1449A/PTO	Application Number	10/047,601			
	Filing Date	January 14, 2002			
RMATION DISCLOSURE	First Named Inventor	Jeffrey D. Messerly			
EMENT BY APPLICANT	Group Art Unit	3737			
	Examiner Name	William C. Jung			
(use as many sheets as necessary) Sheet 4 of 5	Attorney Docket Number	END-810			

ALL

		U.S. Patent Do	ocument			
Examiner Initials	Cit e No	Number		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
						ALL
						ALL
						ALL
						ALL
		1				ALL
						ALL
						ALL
						ALL
						ALL
						ALL
						ALL
		,				ALL

Date of Publication Pages, Columns, Lines, of Cited Document where relevant Name of Patentee or Examiner Cite passages or relevant mm-dd-yyyy T^6 Applicant of Cited Document Initials figures appear KindCode5 No.1 Office³ Number⁴ A1 9/19/1996 0 830 845 ALL ALL **GDR** 203,229 ALL WO 98/14126 ALL ALL ALL

FOREIGN PATENT DOCUMENTS

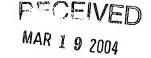
Examiner			Date	
Signature		•	Considered	
orginataro	L		Considered	
*******	1 111 114 4			

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. s Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.





the Paperwork Reduction Act of 1995, no persons are requi

PTO/SB/08A (08-00) TECHNOLOGY CENTER R3700 U.S. Patent and Trademark Online. U.S. Patent and Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 5 of 5

2 sensetter of information diffess it displays a valid OMB control fulfiber.				
10/047,601				
January 14, 2002				
Jeffrey D. Messerly				
3737				
William C. Jung				
END-810				

1	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, scrial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or ountry where published	T²
	INTERNATIONAL STANDARD IEC 61847 Ultrasonic - Surgical systems - "Measurement and declaration of the basic output characteristics" © IEC 1998 Droits de reproduction reserves	
		INTERNATIONAL STANDARD IEC 61847 Ultrasonic - Surgical systems – "Measurement and declaration of the basic output characteristics" © IEC 1998 Droits de reproduction reserves

Examiner	Date	
Cimentum	Date	
Signature	Considered	
	Condidered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.